

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Docket: 87-0475-USA-G
Shunpei YAMAZAKI) (756-159)
Serial No. 07/120,144) Examiner M. Bell
Filed: November 13, 1987) Group Art Unit: 118
For: SUPERCONDUCTING CERAMICS) Date: April 17, 1990

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- [] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by a verified statement previously submitted.
- [] A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- [X] No additional fee is required.

The fee has been calculated as shown below:

(Col. 1) CLAIMS REMAINING AFTER AMENDMENT	(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	Small/Large Entity Rate Fee
Total * Minus **			x 6/12
Indep. * Minus **			x18/36
First Presentation of Multiple Dependent Claim			+ 60/120
TOTAL			

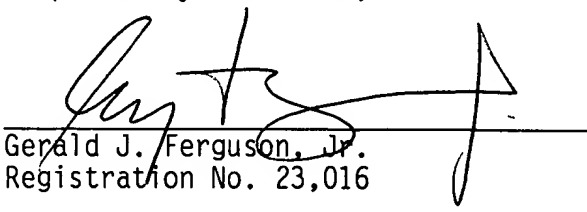
* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in col. 3.

** If the "Highest No. Previously Paid For" in this space is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" in this space is less than 3, write "3" in this space.

- [] A check in the amount of \$ _____ to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 (except the Issue Fee) which may be required now or hereafter, or credit any overpayment, to Deposit Account No. 19-2380. A duplicate copy of this sheet is attached.

Respectfully submitted,

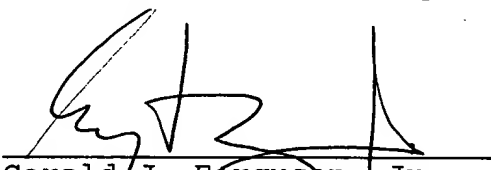


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CERTIFICATE OF MAILING

I hereby certify that the Cover Letter, Supplemental Response and Notice of Change of Address are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on April 17, 1990.


Gerald J. Ferguson, Jr.
Registration No. 23,016
Attorney for Applicant

Serial No. 07/120,144
Applicant: Shunpei YAMAZAKI
Docket: 87-0475-USA-G (756-159)

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SUPPLEMENTAL RESPONSE

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

Supplemental to the Response filed February 14, 1990, the following remarks are made.

The interview with Examiner M. Bell on March 15, 1990, with the applicant, Dr. S. Yamazaki, K. Yanai, T. Suda, and the undersigned in attendance is acknowledged with appreciation.

As stated at the interview, the subject application is directed to a further invention where the ratio of the rare earth element, alkaline earth element, and copper in a copper oxide superconducting ceramic of the foregoing type is 1:2:3. This ratio is exemplified in all of the Examples of the subject application.

Applicant filed three continuation-in-part applications on March 13, 1990, the serial numbers of these applications being 07/492,754; 07/492,856; and 07/492,858. All of these applications are directed to either compositions or methods relating to the employment of the 1:2:3 ratio in a rare earth, alkaline earth, copper oxide superconducting ceramic. Moreover, many of the claims of the foregoing CIP applications

are entitled to the November 13, 1987, filing date of the subject application and to the March 25, 1987, filing date of the Japanese priority application Nos. 62-072481; 62-072483; and 62-072487 referred to in the Response filed February 14, 1990.

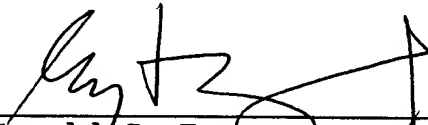
At the interview, PCT Application No. PCT/US87/02958 ('958) having an international filing date of November 9, 1987, was brought to the attention of the Examiner and a copy of this application is submitted herewith. As can be seen from the face of the foregoing application, it has claimed priority of four earlier U.S. applications - that is Serial No. 002,089 filed January 12, 1987; 006,991 filed January 27, 1987; 012,205 filed February 6, 1987; and 032,041 ('041) filed March 26, 1987.

Only the '041 application filed March 26, 1987, discloses the above-mentioned 1:2:3 ratio in a rare earth, alkaline earth, copper oxide superconducting material. The filing date of applicant's Japanese priority applications is March 25, 1987 (verified English translations of these applications having been submitted with the February 14, 1990, Response). Applicant directs the attention of the Examiner to the foregoing PCT application, it being listed on the Form 1449 Information Disclosure Statement submitted herewith.

Also submitted herewith is a copy of an article entitled "High-Pressure Study of the New Y-Ba-Cu-O Superconducting Compound System" where one of the authors is the same as the applicant listed in the above-mentioned PCT application - that is, C. W. Chu. This article may be found in Physical Review Letters, Volume 58, No. 9, March 2, 1987. It is noted with respect to this article that there is no disclosure of the 1:2:3 ratio for the Y-Ba-Cu-O compound system discussed in the article.

Also submitted herewith are several articles from the Japanese Journal of Applied Physics, Volume 26, No. 4, April 1987, these articles being listed on the Form-1449 Information Disclosure Statement submitted herewith. These articles are directed to Y-Ba-Cu-O superconducting ceramics where the ratio is 1:2:3, the April 1987 publication dates of the references being, of course, subsequent to the March 25, 1987, filing dates of the Japanese priority applications for the subject application.

Respectfully submitted,



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